

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	Examiner:	Tyson, Melanie Ruano
Shamim Malik et al.		
Serial No.	09/997,449	Art Unit: 3773
Filed:	November 30, 2001	Confirm. No.: 3441
Title:	MODIFIED IMPLANTABLE DEVICE SURFACE AND A METHOD OF MAKING THE SAME	

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT
PURSUANT TO 37 C.F.R. §§1.97-1.98**

Dear Examiner:

In accordance with the duty of disclosure under 37 C.F.R. §1.56 and pursuant to 37 C.F.R. §§1.97-1.98, Applicants hereby notify the U.S. Patent and Trademark Office of the references listed on the attached Form PTO-1449.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicants reserve the right to dispute the listed documents as prior art during examination. Furthermore, Applicants do not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application. The submission of this Information Disclosure Statement is not to be construed as a representation that a search has been made or that no other material information may exist.

The Examiner is requested to initial the enclosed Form PTO-1449 and return a copy thereof to the undersigned.

Included in this Supplemental Information Disclosure Statement Information is Malik et al., “Development of an Energetic Ion Assisted Mixing and Deposition Process for TIN_x and Diamondlike Carbon Films, Using a Co-axial Geometry in Plasma Source Ion Implantation,” *J. Vac. Sci. Technol. A*, Vol. 15, No. 6, pp. 2875-2879 (Nov./Dec. 1997) (“Malik”). Malik was cited in another commonly owned application, U.S. Patent Application No. , 09/997,450, “Modified Surface For An Implantable Device And A Method Of Producing The Same”, Malik, and filed November 30, 2001.

The present Information Disclosure Statement is being submitted under 37 C.F.R. § 1.97(b)(4) and concurrent with the filing of a Request for Continued Examination under 37 C.F.R. § 1.114. Although Applicants do not believe that any fee is due with the present filing, the Commissioner is hereby authorized to charge any fees, or credit any overpayment, to Deposit Account No. **07-1850**.

Respectfully submitted,

Date: May 13, 2009

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